



Department of Primary Industries

OUT14/28712

Ms Rebecca Sommer,
Industry, Key Sites and Social Projects
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

22 SEP 2014

Rebecca.Sommer@planning.nsw.gov.au

Dear Ms Sommer,

Cobaki Estate Open Space Project (MP 08_0200 Mod.3) Proposed Modification

I refer to letter from Chris Ritchie dated 31 July 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water (Office of Water) has reviewed the modification application and offers the following comments:

- The information supplied outlines that it is highly unlikely groundwater will be intercepted. However, if groundwater is intercepted the proponent must contact the Office of Water to obtain relevant licences to account for the take of water.
- The reports outline there is Potential Acid Sulfate Soils and Acid Sulfate Soils on the site. There is also a chance that Acid Sulfate Soils could be encountered during these works. It is important the mitigation measures outlined in the Cobaki Estate SSPP Environmental Assessment Report are implemented if Acid Sulfate Soils is disturbed during the works, in order to minimise impacts on surface water and groundwater.

The expansion area for Precinct 9 Borrow Area is shown on the plans included in the Cobaki SSPP Environmental Assessment Report. It appears from the plans that the expansion encroaches on the areas of land set aside for rehabilitation and management and also the Saltmarsh Rehabilitation Area. It is important the relevant agencies have the opportunity to comment on this issue.

For further information please contact Christie Jackson, Water Regulation Officer, (Tamworth office) on (02) 6701 9652 or at christie.jackson@water.nsw.gov.au.

Comment by Fisheries NSW

Fisheries NSW note that construction of the bulk earth works, including road forming works across the saltmarsh associated with the Cobaki Parkway 'missing link', the subject of this modification will directly impact on saltmarsh communities.

Specifically a direct impact on 3.25ha of saltmarsh in the southern portion of the Southern Special Purpose Precinct. Saltmarsh is a key fish habitat and an endangered ecological community. These impacts were considered and offset in several conditions of the determination of MP No. 08_0200 including Condition 65.

The saltmarsh area at Cobaki is a complex ecological and hydrological unit. Fisheries NSW is concerned that works have been undertaken during the last year resulting in the inundation of saltmarsh areas, works intended to reduce that inundation, and the works outlined in the subject modification are being undertaken without having holistic and strategic consideration of consequences for the rehabilitation works and the ongoing sustainability of the saltmarsh. Fisheries NSW is concerned that despite direction afforded by Condition 65, works affecting saltmarsh at the site are being undertaken in an ad hoc and piecemeal fashion.

With regard the present proposed modification and the operation of Condition 65, Fisheries NSW recommend that consistent with Condition 65, a final saltmarsh rehabilitation plan (that satisfies all aspects of Condition 65) should be prepared prior to the undertaking of the subject works.

For further information please contact Patrick Dwyer, Fisheries Conservation Manager (Wollongbar Office), on 6626 1397 or at patrick.dwyer@dpi.nsw.gov.au.

Yours sincerely



Kristian Holz
Director Policy, Legislation and Innovation